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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[1 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Bahrain: 995 Violations of Human Rights in January 2018*

With the beginning of 2018, the human rights situation in Bahrain continued to deteriorate. 995 serious human rights violations were observed between January 1 and January 31, 2018, including arbitrary arrests, house raids, unfair trials, suppression of peaceful protests, restrictions on freedom of movement, prohibition of Friday prayers, media materials that incite hate speech, enforced disappearance, torture and ill-treatment.

Arbitrary arrests, raids and restrictions on freedom of movement

121 cases of arbitrary arrest were recorded, climaxingon January 23, 2018 and amounting to 44 unlawful arrests and 138 raids on houses and residential establishments that were carried out without arrest warrants, and in a manner that spreads terror among citizens. In addition, the freedom of movement was violated through the continuation of the security siege on Duraz for 589 days and the imposition of house arrest on the highest religious authority for the Shiite Muslims in Bahrain, Ayatollah Sheikh Isa Qassim, for 252 days without a judicial order or administrative decision.

On January 31, 2018, Ayatollah Sheikh Isa Qassim was transferred to the hospital after a 13-day deliberate delay by the authorities, as he was scheduled for surgery on January 18, 2018, therefore his rights to treatment and to freedom of movement were violated.

Meanwhile, the security authorities continued to violate freedom of religion and belief by banning Friday prayers at Duraz for 4 times in January, bringing the number to 81 preventions since 2016. In addition, 200 Bahraini citizens have been accused or arrested in the Public Prosecution and presented to the Bahraini judiciary for reasons relating to freedom of expression and peaceful assembly.

Hate speech: 342 media materials

342 media materials and messages that incite or help to incite hatred against human rights defenders, political activists and Bahraini citizens were observedin January. Those materials are divided into 89 media articles published in the official press and 253 materials published on social media by users that includeofficial and media figures, such as Assistant Undersecretary for Information and Follow-up at the Prime Minister's Court, Ibrahim Al-Dosari, Ministry of Information Affairs' adviser, Sawsan Al-Shaer, former MP Mohammed Khaled, and journalists Faisal Al-Sheikh, Farid Hassan, Mona Mutawa and Saeed Al-Hamad.

The media materials inciting hatred published in local press are as follows: 18 articles in the Bahraini Al-Ayam newspaper, 25 articles in Akhbar Al-Khaleej newspaper, 13 articles in the Bahraini Al-Bilad newspaper, and 33 articles in the Bahraini Al-Watan newspaper.

Torture, ill-treatment, enforced disappearance and destruction of property

18 cases of torture and ill-treatment, which climaxedonJanuary 14, 2018, were observed. In addition, 2 cases of destruction of property were observed on January 24 and January 27, 2018. Also, 17 cases of enforced disappearance of Bahraini citizens were observed, including Ali Hussein Jassem who disappeared for 45 days, Salman Ismail who disappeared for 40 days, HussainHumaidMadan who disappeared for 28 days, Mustafa Bahr who disappeared for 27 days, Abbas Rahmawho disappeared for 20 days and Mansour Al-Dulabi who disappeared for 20 days.The cases of enforced disappearances were regionally distributed as follows: 10 cases from Duraz, 3 cases from Nuwaidrat, and 1 case from each of Manama, Abu Saiba, Bilad Al-Qadeem, and Barbar.

Unfair trials

In addition, 77 Bahraini citizens were handed arbitrary sentences, which climaxed on the 24th and 29th of January, 2018, amounting to 24 cases. The total arbitrary sentences amounted to the following: 679 years of imprisonment, 3 years of imprisonment suspended for one year term, total finesofUS $268,000, 39 sentences of revoking nationalities, and 10 sentences of deporting citizens whose nationalities were revoked, four of them were deported beforeJanuary 1, 2018.In addition, the death sentence against Maher Al-Khabazwas upheld, even thoughfour UN experts issued a report saying that he was subjected to torture and ill-treatment.

The trial hearings, which violate the freedom of political action of Bahraini opposition leader Sheikh Ali Salman, as well as two former MPs of the Al-Wefaqparliamentary bloc, Sheikh Hassan Sultan and Ali Al-Aswad, continued.The fourth hearing was held on January 4, 2018 and the fifth hearing on January 25, 2018. In the fifth hearing, Sheikh Ali Salman emphasizedthat the audio recordings which were used as indictments for the charge of spying for Qatar are cut in a way that distorted their contents.

On January 16, 2018, Bahrain's Court of Cassation upheld a two-year prison sentence against Nabeel Rajab, head of the Bahrain Center for Human Rights and Deputy Secretary-General of the International Federation for Human Rights. A statement by the Bahrain Center for Human Rights said, "We are very worried about Nabeel's safety and well-being,"adding, "Authorities should release him immediately, drop the charges against him, and investigate thoroughly his possible ill-treatment in detention."

Appeals hearings at the military judiciary for 17 civilians and one soldiercontinued to be held, in which civilian victims were tortured and ill-treated. Three appeals hearings were held on January 10, 14 and 31, 2018, and the case was reserved untilFebruary 21, 2018 without investigating the torture complaints which include 11 violations: torture by electric shock, enforced disappearance, sleep and bathingdeprivation,severe beatings and solitary confinement. On December 25, 2017, the military court sentenced five civilians and one soldier to death in this case, including human rights activist and head of Liberties and Human Rights Department at Al-Wefaq Society, Mohammed Al-Motaghawi,and the personal escort of Sheikh Isa Qassim, communications engineer Sayed Alawi Hussein.

Recommendations:

Urge the Government of Bahrain to repeal the constitutional amendment and to restore Article 105 of the Bahraini Constitution to its previous state to ensure that civilians are not tried in military courts.

Urge the Government of Bahrain to repeal Law No. 12 of 2017 amending the Military Judiciary Law, which allowed for the prosecution of civilians in military courts.

The Government of Bahrain shall adopt the Basic Principles on the Independence of the Judiciary adopted by the United Nations in 1985.

It is also necessary that: The United Nations Secretary-General, the High Commissioner and Member States of the Human Rights Council urge the Government of Bahrain to adopt and implement the basic principles on the independence of the judges, to ensure that the Government of Bahrain refrains from trying civilians in military courts and amends the law.

The Special Rapporteur on the Independence of Judges and Lawyers submits a request to visit Bahrain and the Bahraini authorities are pressured to accept the request for a visit.

The mechanisms for the appointment of the Supreme Judicial Council are amended in order to allow the public to exercise its authority to supervise the work of the judiciary.

The Member States of the Human Rights Council urge Bahrain again to abolish the death penalty, and repeat the same recommendations of the 2017 UPR. The countries are the following: France, Portugal, Angola, Sweden, Norway, Germany, Montenegro, Spain, Bulgaria, Australia, Austria, Luxembourg, Lithuania, Italy, Argentina, Chile, and Belgium.

The Bahraini authorities must immediately and seriously implement the Bahrain Independent Commission of Inquiry (BICI) recommendations, and those of the UPR. They should also remove the ban imposed on the right to peaceful assembly, and stop adopting local laws in order to restrict the right to freedom of expression.

The Bahraini authorities must stop practicing forced disappearance, halt extra-judicial killings, guarantee fair trials for citizens, and allow observers to attend those trials.

We emphasize Bahrain's need for international monitoring over the performance of the agencies created by the Bahraini authorities after the BICI report to reveal the truths.

Appoint a UN special rapporteur on Bahrain, and pressure the Bahraini authorities to allow UN special rapporteurs to visit Bahrain and supervise the internal situation, especially the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Special Rapporteur on the rights to freedom of peaceful assembly and

of association, Special Rapporteur on the situation of human rights defenders, and Special Rapporteur on freedom of religion or belief.

Establish a regional office for the Office of the High Commissioner for Human Rights with full powers.

Urge Bahrain to join the Rome Statute of the International Criminal Court and the Optional Protocol to the Convention against Torture, and release all prisoners of conscience including human rights defenders, political activists and religious scholars.

Call on the Bahraini authorities to cancel all citizenship revocation verdicts and bring back the deportees.

Adapt local legislations with international laws in order to ensure the independence of religious affairs and protection of freedom of belief.

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*Bahrain Forum for Human Rights (BFHR) NGO without consultative status, also shares the views expressed in this statement.